

REMARKS

In the outstanding Official Action, the Examiner objected to claim 75 for a noted informality. By the present Response, Applicant has amended claim 75 to eliminate the noted informality and to overcome the Examiner's objection. The Examiner is respectfully thanked for his bringing this matter to Applicant's attention so that it could be corrected.

The Examiner rejected claims 53, 54, 56, 57, 59-60, 63, 64, and 66-75 under 35 U.S.C. § 102(e) as being anticipated by MAYEDA (U.S. Patent No. 6,690,480). Further, the Examiner rejected claims 58 and 65 under 35 U.S.C. § 103(a) as being unpatentable over MAYEDA in view of FITE, Jr. et al. (US. Patent No. 5,517,324).

Applicant respectfully traverses each of the above-noted rejections and submits that they are inappropriate.

Initially, Applicant notes that the primary reference relied upon by the Examiner, MAYEDA (U.S. Patent No. 6,690,480), has a U.S. filing date of February 26, 1999. However, Applicant's application is entitled, by virtue of 35 U.S.C. § 119, to an effective filing date of April 6, 1998 as a result of the certified copy of JP10-92929 that was filed in the present application, on July 23, 1999. Since the presently pending claims of the present application find clear support in the disclosure of JP10-92929 filed on April 6, 1998, it is respectfully submitted, that in accordance with the provisions of 35 U.S.C. § 102(e), the MAYEDA reference is no longer appropriate for use against the claims in the present application. In accordance with the requirements of 35 U.S.C. § 119, Applicant

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is submitting herewith a certified English language translation of the Japanese application JP10-92929 to perfect his claim of priority. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of all of the claims in the present application and an indication of the allowability of such claims in due course. Such action is respectfully requested and is now believed to appropriate and proper.

By submitting the above-noted translation of one of Applicant's foreign priority documents, Applicant does not in any manner acquiesce in the propriety of rejection in the absence of such submission. Rather, Applicant is merely proceeding along the most expeditious and straightforward manner to obtain prompt allowance of the claim in the present application. Applicant respectfully submits that there are other bases for the patentability of the claims in the present application.

Together with the present response, Applicant is also filing a Petition for Correction of Inventorship under 37 C.F.R. § 1.48(d). By such Petition, Applicant is requesting the deletion of Yoshihiro IDA from the inventorship of the present application. Thus, Yasuo NISHIDA will remain as the sole inventor of the present application.

Applicant notes that as originally filed the present application claimed the benefit of two Japanese foreign priority applications. The first (i.e., earlier) one, a certified translation of which is being submitted, was invented by Mr. NISHIDA while the second one was invented by both Mr. IDA and Mr. NISHIDA. In view of the cancellation of all of the previously pending claims in the present application, it was determined that Mr.

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IDA is no longer a proper inventor of the presently claimed subject matter of the present application. Accordingly, the above-noted Petition is being filed to correct the inventorship of the subject matter of the present application. The Examiner is respectfully requested to ensure that the Petition is promptly acted on.

In view of the above, Applicant respectfully requests correction of the inventorship of the present application and the allowance of all the claims pending herein, in due course.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has corrected an informality in one of the claims in accordance with the Examiner's objection. Applicant has further overcome the rejection by submitting a certified English language translation of one of the priority documents so as to render the cited primary reference unavailable under 35 U.S.C. § 102(e). Applicant has further submitted a Petition to correct the inventorship of the present application in view of the cancellation of the previously pending claims herein.

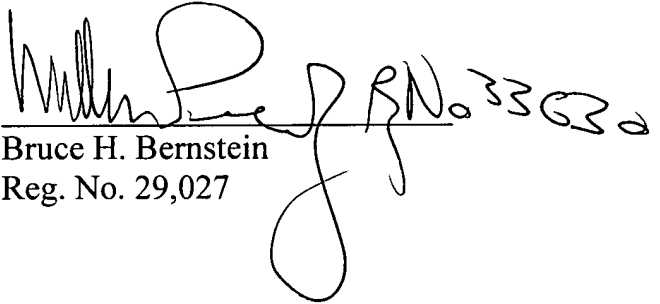
Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all of the claims in the present application and respectfully requests an indication to such effect, in due course.

The amendment to the claims which has been made in this amendment, and which has not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

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Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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